

REMARKS

This is in response to the non-final Office Action mailed on January 12, 2006 and is timely filed within three months of the mailing date of the Action. In the action, claims 1-20 are pending. Claims 1-12 and 15-20 are rejected. Claims 13 and 14 are objected to. By this response, claims 12 and 16 are amended. All other claims remain unchanged.

Claim 16 is objected to because of an informality regarding the dependency of the claim. The Applicants have amended the claim as suggested in the Office Action. Withdrawal of the objection is hereby respectfully requested.

Claim 12 was rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that the Applicants regard as the invention. The Applicants have amended claim 12 to more particularly point out and distinctly claim the invention. Withdrawal of the rejection is respectfully requested.

Claims 1-3, 6-8, and 10-12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art in the preamble of claim 8 (AAPA), in view of U.S. Patent No. 6,805,393 of Stevenson et al., and in further view of U.S. Patent No. 5,602,526 of Read. The filing date of the present application is July 11, 2003. Applicants point out that the filing date of the Stevenson et al. patent is August 20, 2003, more than one month after the filing date of the current application. Thus, Applicants respectfully submit that the Stevenson et al. patent is presumptively not prior art to the current application, and the disclosures within the Stevenson et

al. patent should not be considered against the claims of the current application.

Independent claim 1 is directed toward an interlock arrangement for controlling selective functions of a body having power components and having a closeable door. Claim 1 recites the feature of a "sensor adjacent to one of the latch and the latch striker" and a "sensor actuator adjacent to the other latch and the latch striker." The sensor provides a "signal indicating the door is closed when the latch is adjacent to the latch striker" to thereby enable selected functions of the body.

The combination of the AAPA and Read neither teach nor suggest a sensor adjacent to a latch or a latch striker and a sensor actuator adjacent to the other of the latch and the latch striker. Further, the combination neither teaches nor suggests a sensor providing a signal to enable selected functions of the body. Instead, Read discloses a sensor attached to the top of a sliding door. There is no teaching or suggestion that the door disclosed in Read would have a latch or a latch striker or that a sensor would be positionable adjacent such components. Further, Read teaches that the relative position of the sensor provides an input to control the operation of an indicator light. Thus, Read provides no teaching or suggestion of a signal from a sensor, wherever located, that would enable selected functions of the body. For at least these reasons, Applicants submit that claim 1, and its dependent claims 2-3 and 6-7, are neither taught nor suggested by the combination of the AAPA and Read.

Independent claim 8 is directed toward an improved loader having the feature of "a sensor arrangement between a door and a portion of a cab adjacent a door opening." Further, claim 8

recites a "lock out for enabling and disabling operating functions, said sensor arrangement being connected to the lock out to disable the functions when the sensor arrangement indicates the door and a portion of the cab are positioned in an offset relationship."

The AAPA is silent with respect to enabling or disabling functions. Further, as discussed above, the Read patent neither teaches nor suggests enabling operating functions. It follows, then, that Read does not teach or suggest a sensor arrangement connected to a lock out which can enable functions or disable functions. Thus, the combination of the AAPA and the Read patent neither teach nor suggest all of the recited elements and features of the terms of claim 8. Further, as discussed above, Stevenson et al. is presumptively not a prior art reference and should not be considered. For at least these reasons, Applicants submit that claim 8, and its dependent claims 10-12, are allowable over the cited references. Withdrawal of the rejection is respectfully requested.

Claims 4 and 5 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the AAPA in view of Stevenson et al., in further view of Read, and further in view of U.S. Pat. Pub. No. 2004/0203381 of Cahn et al. Claims 4 and 5 each depend from claim 1, which as described above, is believed to be allowable over the references cited. Thus, Applicants submit that claims 4 and 5 are allowable over the references cited. Withdrawal of the rejection is requested.

Claims 9 and 15-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the AAPA, in view of Stevenson et al., in further view of Read, and in further view of the U.S. Pat. Pub. No. 2004/0000799 of Wherley. Claim 9 depends from

claim 8, which is believed to be allowable over the references cited. For at least this reason, claim 9 is also submitted to be allowable. Withdrawal of the rejection is respectfully requested.

Independent claim 15 is directed to an interlock arrangement for controlling operation of power components on a powered vehicle. Claim 15 recites the features of "a latch having first and second latch components" and a sensor having two elements. The first sensor element is "mounted adjacent the first latch component, and a second sensor element mounted adjacent the second latch component...." As described above, Stevenson et al. is presumptively not prior art and should not be considered. Applicants submit that the combination of AAPA, Read, and Wherley do not teach or suggest the above-mentioned features. As described above, the combination of AAPA and Read do not teach or suggest sensor elements positioned adjacent latch components.

Further, the Wherley reference does not correct these deficiencies. Wherley describes a sensor mounted to a door, but, as shown in FIG. 1, door 110 does not show a latch or latch components. Further, Wherley shows a magnet and a switch coupled to a door and a door frame. Wherley simply does not teach or suggest positioning sensor elements adjacent to latch components. Thus, the combination of the AAPA, Read, and Wherley neither teach nor suggest all of the recited elements and features of claim 15. Thus, Applicants submit that claim 15 and its dependent claims 16-20 are admissible over the cited art. Withdrawal of the rejection is respectfully requested.

Applicants acknowledge and thank the Examiner for recognizing that claims 13 and 14 contain allowable subject

matter. However, in light of the remarks above, Applicants submit that claims 13 and 14, both of which are dependent from independent claim 9, are allowable as written. Withdrawal of the objection is respectfully requested.

In summary, by this action, claims 12 and 16 are amended. Applicants submit that all pending claims 1-20 in light of the amendments and remarks provided above, are allowable. Favorable action is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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